

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE SOUTHERN DISTRICT OF MISSISSIPPI

IN THE MATTER OF: SHERRY K. O'NEAL

CHAPTER 13 NO.: 21-00316-JAW

APPLICATION TO EMPLOY SPECIAL COUNSEL

COMES NOW, Sherry O'Neal, Debtor(s), by and through counsel, and files this their Application to Employ Special Counsel and in support of same would most respectfully show unto this Honorable Court as follows:

1. The Debtor filed her Chapter 13 Petition on February 26, 2021.
2. The Debtor was involved a motor vehicle collision on January 24, 2020. Debtor was traveling westbound on US highway 80 in Warren County, Mississippi. Debtor attempted to make a left turn onto a private drive when the vehicle behind her collided with the Debtor's vehicle causing bodily injury. The Mississippi Highway Patrol responded to the collision and completed a crash report.
3. The Debtor(s) desire to employ William A. Graves of the law firm of Morgan & Morgan, PLLC to represent the interests of the Debtor(s), if any, and the above-described claim. The attorney has experience in matters of this character and the Debtor(s) believe that the attorney is qualified to represent her and the bankruptcy estate in this matter. The attorney does not have any adverse interest to the Chapter 13 Trustee or this bankruptcy estate and his employment would be in the best interest of this estate. The prosecution of this cause of action is necessary for the successful reorganization of the Debtor(s). The attorney's mailing address, state bar number, telephone number, and e-mail address are set forth below.
4. The professional services to be rendered by the above-named attorney would include the following:

 - a. To assist the Debtor(s) in the handling of the claim;
 - b. To perform all other legal services for the Debtor(s) in connection with this matter and directly related matters which may be necessary and in the best interest of the Debtor's bankruptcy estate.
5. This Motion is seeking *nunc pro tunc* approval of the employment in that the undersigned counsel was not aware that the Debtor had filed bankruptcy. An Order authorizing employment is required *nunc pro tunc* because an extensive amount of legal work has been

performed on this case, all of which will be a benefit to the Bankruptcy Estate. The approval of this Application will not prejudice any parties-in-interests because the Debtor anticipates that a recovery and/or settlement will be generated in this matter which will be a benefit to the creditors of the bankruptcy estate. Per the certificate of service, a copy of this Motion has been served upon the master mailing matrix as constituted by the Court on the date of service.

6. After the performance of such legal services, or during the performance, upon proper application, the above-named attorney should be allowed reasonable compensation for services rendered as follows: Pursuant to the Professional Service Agreement, Sherry O'Neal (Debtor) owes 40% of the settlement in legal fees and reasonable and necessary expenses, so long as those fees and expenses combined do not exceed 50% of the gross settlement or recovery. Such fees and expenses shall be requested to be allowed as an administrative expense in this bankruptcy proceeding.

Wherefore, the Debtor(s) pray that she be authorized to employ and appoint William A. Graves of Morgan & Morgan, PLLC law firm to represent the Debtor(s) and the bankruptcy estate in connection with the above-referenced personal injury claim and that he/she have such other and further relief as just.

Respectfully submitted,


WILLIAM A. GRAVES

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CERTIFICATE

I, William A. Graves, do hereby certify that I have this date mailed a true and correct copy of the foregoing pleading to the U.S. Trustee, to the Debtor and Debtor's counsel and all further interested parties as shown on the attached Exhibit "B", by United States Mail, postage prepaid.

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All parties listed on the master mailing matrix attached hereto.

Dated: May 10, 2022.



WILLIAM A. GRAVES